

Minutes of ATNC Network Annual Meeting

Date:27-28 Oct 2011

Day One (27 Oct 2011)

1. Introduction of ATNC Network (Suki)
2. Country reports – Trends of issues and challenges

Taiwan

2.1. Youth Labor 95 Union (Lucas Hu)

- 2.1.1. The organisation originated from the unfair and discriminatory treatment of part-time workers. Part time workers work full time but salary is not equivalent to the minimum wage of a full-time worker. The name of the organisation represents the campaign minimum wage for part-time workers: NTD95/ hour and maximum 168 a month after deducting national holidays and special leave (at present the hourly rate is NTD66/hour and 240 hours a month).
- 2.1.2. Goals of the organisation: improve working conditions of youth, promote legal protection of part time and irregular workers, promote youth participation in public affairs.
- 2.1.3. The group's previous campaigns: Campaign against unpaid leave and Mcdonald.
- 2.1.4. Issues: New Bill on forming industrial unions – The labour law in the past allows for enterprise union only with a basis of 30 workers.

2.2. Serve the People Association SPA (Lenon)

- 2.2.1. SPA handles dispute cases outsourced by the labor bureau as a source to approach workers and identify possibilities of organising trade unions. SPA focuses on collective and representative cases for organising. Eg organising temporary workers in the national health insurance bureau into forming an association in 2009 when they were threatened by dismissal. Organising the janitors employed by the national stadium who were fired under the outsourcing.
- 2.2.2. Trade union organising in new cases: the Nanya PCB union which has 4000 members by now; Organising the Young Fast Optoelectronics Trade Union and protest for 15 months; a new organising effort at CMC company (DVD and VCD factory), faced by busting of the employers and by now the union leaders were reinstated after campaign. Alliance with students to organise the High Tech Cold Blood Youth in the electronics industry, alliance with the youth groups to support the organising of part-time workers and trainee workers
- 2.2.3. Issues: Ministry of education offered a subsidy scheme of salary base of NTD22,000/month to support graduates after the financial crisis, which became the qusai minimum wage for the youth.
- 2.2.4. Increasing outsourcing and irregularisation of work led by government
- 2.2.5. Regression to no-paid leave common in electronics companies
- 2.2.6. Low unionizing rate
- 2.2.7. Established unions are found mainly in the state-owned and public sector, and not much support is given to the new unions or unorganized sectors

- 2.2.8. Union busting – workers will be fired if identified by the employers
- 2.2.9. The Big Brother Culture in Taiwanese unions
- 2.2.10. Unions tend to base their struggles on the law and thus limited by the anti-labor clauses and the legal procedure.
- 2.2.11. Labor Law Changes: (i) Industrial unions are allowed – challenge is how to align and unite the dispersed and large numbered plant-based unions into industrial unions. (ii)
- 2.2.12. Unfair labour practices scrapped – employers’ objection to CB. (iii) Migrant workers can be union officers.

2.3. National Federation of Independent Trade Unions NAFITU (CHU Wei-Li)

- 2.3.1. NAFITU introduction –
- 2.3.2. Formed in 1988 with the background of forming an independent union outside of the official trade union institution, the Chinese Federation of Labor (affiliated to the ruling KMT party) when Taiwan was still under martial law. In 1998, 12 independent unions of 12000 workers were formed after joining the strike of the transportation workers in Taoyuan county.
- 2.3.3. TCTU was formed in 2000, but its close relation with the DPP is problem affecting union independence.
- 2.3.4. NAFITU insists on independence from the political parties. Of 8 million workers subscribed under the national labour insurance (ie union members) there are only 700+ industrial unions and most of them are not independent from management. NAFITU focuses on organising the un-organised including Carrefour workers, HSBC workers, electronics workers, government agency workers, dispatch and part time workers etc.
- 2.3.5. Issues: Globalisation of trade after Taiwan entering WTO and ECFTA (trade agreement with China), the manufacturing and service sector are relocating. Taiwan ‘s GDP is rising in 2010 but the unemployment rate is also highest 5.4% in East Asia. This is explained by the role of Taiwan companies as the contract manufacturer in the global supply chain and the outsourcing of manufacturing jobs to China and other developing countries. Workers in Taiwan are faced with the dilemma of die from work or die from starvation.
- 2.3.6. Struggles and Unions formed
- 2.3.7. Wintek Trade Union – Wintek manufactures touch panel of iPad and iPhone. Large proportion of irregular, dispatch workers was used. 2008 Wintek workers were faced with no leave pay and retrenchment. Half of the dismissed workers were reinstated after the union was formed and struggled, coincided with the struggle of workers in Wintek factory in Dongguan city of China.
- 2.3.8. Dispatch workers in National TW Museum of Fine Arts
- 2.3.9. Dispatch workers were paid lower wage, female workers have to produce pregnancy test results to get the job. NAFITU supported workers against the management.
- 2.3.10. Carrefour Union
- 2.3.10.1. Carrefour is shrinking its operation in Asia, except in China and SEAsia. Carrefour union is joint venture and was formed 20 years ago. Carrefour never paid workers on leave and overtime work. Workers tried to form union in 2010.

The struggle succeeded to reinstate the fired union leader. The union expanded to organise 63 stores and form a company union. Carrefour was now bought by Louis Vuitton and Moët Hennessy.

2.3.11. HSBC

2.3.11.1. HSBC is undertaking global retrenchment and replace workers by service centres in new low cost countries namely China, India. Workers are pressured under the Personal Improvement Plan for appraisals and dismissal.

Hong Kong

2.4. Hong Kong Confederation of Trade Unions (Kwun Kwang)

- 2.4.1. The unemployment rate is lowest since the handover in 1997 at 3.5%. In 2011 the statutory minimum wage came into effect. The income of general workers is raised from 5 to 50% after the law took effect. But the wealth gap has widened to become the highest in the developed countries, gini coefficient 0.533. About 1.3 million people, one of seven are living under the poverty line. The wage increase is lower than the inflation rate.
- 2.4.2. There were only three strikes in 2010-2011 meaning workers though frustrated but not necessarily taking action. One reason is the large companies tend to resolve issues with workers through in-house communication mechanism. Nonetheless there is no collective bargaining legislation and negotiation is not formal with unions/workers.
- 2.4.3. Migrant domestic workers are discriminated. They are not entitled to residency after 7 years of work in Hong Kong, unlike the other skilled foreign labour. Anti-migrant campaign is launched by the government and supported by the general public and local workers. HKCTU is accused of being the traitor of local workers.
- 2.4.4. Goals of HKCTU : (1) Collective bargaining, leverage on the collective bargaining practices of the large scale companies and unions to support more collective bargaining attempts. (2) Forming the labour party, to align the labour movement with the widened social movement against the capitalists and political injustice in Hong Kong.

China

2.5. Chinese Trade Union

- 2.5.1. The priority of the ACFTU has become to monitoring the political thoughts of workers under the harmonious labour relation and maintaining stability. In many strikes staged by workers recently eg since 2004 the Uniden (Japanese electronics) strike, workers demanded for reforming the official union. Two workers in a Malaysian company in Shanghai attempted to collect signatures for forming a union. The two leaders were identified and fired. The leaders went for litigation against unfair dismissal. The upper federation “advised” the leaders to accept compensation and quit forming the union. The two leaders gave up the union struggle.
- 2.5.2. Workers from the Denmark company based in Yantai, Shandong province attempted to form a trade union in 2009. The upper federation and the

- management collided to frustrate the unionizing attempt. Another case is found in a Korean company. The trade union asked for wage increase. The local government abducted the trade union leaders for three days. The trade union leaders finally gave up the struggle.
- 2.5.3. Workers, esp young workers aged 20-25, have little concept about trade union. Those who have heard about trade union see trade union as part of the management. Workers have experience of not getting response from the union when they seek assistance. The official trade union and officers are financed and paid by the management, they 'cannot' represent workers. More trade unions remain silent in workers' disputes, or the trade unions side with the management when workers take legal action against the employers.
 - 2.5.4. The NGOs are working under political pressure. They are questioned and spied on by the party and government in their work inside and outside China. Activists cross-supporting workers in strikes are caught and followed. NGOs provide services to migrant workers in the community. Attempts were made by NGOs to form community-based union, or to press for union election under the corporate social responsibility programs in collaboration with the brands. The NGOs' work on supporting workers to form representative unions is not supported by the ACFTU, not by the government and not by the brand companies.
 - 2.5.5. Freedom of association is banned in China. Freedom of press is also monitored evidenced by the Propaganda Department's ban on journalists from reporting news of workers' and public protests, demonstrations.
 - 2.5.6. Problems faced by migrant workers in defending their rights – The local ministry of labour refuse to take up workers' dispute cases; or the management align with the government officials and gangsters to pressure workers when they are fighting for their rights.

Japan

2.6. Action Center of Working Women

- 2.6.1. Working women are under pressure, poor, committing suicide. The rate of informal workers amongst women is higher than men. Women receive lower wages compared to men, 60% of male wage. Large size of female population amongst the lowest income group. Women are pressured to quit job after giving birth to children.
- 2.6.2. Japanese unions do not have interest in organising women and unionizing rate is low.
- 2.6.3. Women in poverty and discrimination of women is not visible. Equal pay for equal work was introduced in 1985. But after the promulgation of law on dispatch labour, women become victimized under widened use of dispatch workers.
- 2.6.4. Migrant workers are discriminated under law and in society.
- 2.6.5. Issues: Make women poverty visible; overcome the increased gap amongst women; organise the poverty network of women.

Korea

- 2.7. Non-regular workers and youth fight against the political parties for not caring people.
- 2.7.1. Act of labour union allow multiple unions from 1 July 2011 but Samsung did not accept unions.
- 2.7.2. Non regular workers were laid off
- 2.7.3. Hanjin Heavy Industry laid off hundred of workers, action taken to protest by sitting on the crane. Workers, students and religious groups, party supported the case forcing Hanjin to reinstate the workers.
- 2.7.4. Professors and teaching staff in university are threatened.
- 2.7.5. PPT
- 2.7.6. Solidarity of independent professor, student and social movement to reform university is needed in Asia.

India

- 2.8. Share two stories in auto industry and an Indian TNC.
- 2.8.1. Suzuki story – Suzuki joint ventures in India with a local company. Use of irregular workers is common. The union is one of the management. Workers demanded for their own union faced pressure from the local government, management. The issue revealed a common situation: government and management decide which union to recognise, when workers demanded independent union they are busted.
- 2.8.2. Tata Company – is an Indian conglomerate diversifying investments in South, SEAsia, and is the largest employer in the UK. Workers are paid low wages at USD1.4/day. Women workers are deprived of health care and beneficiaries. 60-70% of workers in the tea industry are women. Yet the CBA between the company and the management union does not cover provisions of protection of women workers.

Sri Lanka

2.9. National Free Trade Union

- 2.9.1. Organise mainly workers in the free trade zone, in the garment, chemical, metal and food industry. NFTU provides legal assistance, education to workers and support workers unfairly dismissed. The Korean company campaigned last year was launched against the gender discriminatory practices of force retirement of female workers at 50 years old. The company was pressured by the union and actions to change the retirement age to 55 for all men and women.
- 2.9.2. In another Dubai invested company seldom consult but by-pass the union. Union and workers called the workers' council to demand better conditions. 22 workers were dismissed and only 11 workers brought the case to court. NFTU intervened and took 10 workers back to work and the rest on compensation for the dismissal.
- 2.9.3. Minimum wage is USD72/month. NFTU asked for increase to USD30/month. Unions ask for annual review of the minimum wage but usually are able to get one/fifth of what is asked for.

- 2.9.4. Other union busting practices, union officers are forced or bribed by the employers to sabotage the union. NFTU is seeking legislation to ban cross-affectation of employers to coerce union officers to anti-union activities.
- 2.9.5. Letter appeal to call the Sri Lanka government and the companies to stop union busting in the free trade zone.

Nepal

2.10. GEFONT

- 2.10.1. Gefont was formed in 1989 underground. Now GEFONT has 27 affiliates covering the three sectors. Gefont is the largest confederation of 300,000 workers and 33% of the national Exco of Gefont are women.
- 2.10.2. New trends –
- 2.10.3. wrong policies based on wrong beliefs – remittances from migrants are enough to make the country rich. Remittances represent 18-20% of the GNP.
- 2.10.4. Gefont has to spend much resources on migrant workers' disputes overseas.
- 2.10.5. Minimum wage increased – from USD60 to 80 this year. But social security is restricted to public sector but only few in the private sector are entitled to it. Actual pay is less than USD3/day.
- 2.10.6. Gender discrimination, no equal pay for equal work
- 2.10.7. Formal economy employment is less than 6% and amongst them not all have social security.
- 2.10.8. 1% tax is deducted from wages to set up a social security fund. Gefont asks for 2.5% contribution from employers and 2.5% from the state. Not settled yet.
- 2.10.9. Legislative advocacy called by Gefont:
 - 2.10.10. Appeal for review of the labour act to protect social security;
 - 2.10.11. Unemployment insurance act
 - 2.10.12. Freedom of association act to be stipulated
 - 2.10.13. Labour commission act for dispute settlement
 - 2.10.14. Social security act

Bangladesh

- 2.11. There are more than 50 federations in the garment industry. Division amongst workers and unions is serious between affiliating to the employer, the government and the more independent ones. There were large number of spontaneous unrests last year. Progressive militant trade unionists including the vice president were jailed. The minimum wage in the country has increased by Rupiah1662 to Rupiah 2000. The garment workers and unions are the lowest paid in Asia compared to Nepal, Sri Lanka and India. We need solidarity from other countries.
- 2.11.1. The informal sector is expanding. Only 4-5% of workers in the formal sector is unionized and majority of workers in the informal sector is not organised. Challenge is how to organise the un-organised.

Philippines

2.12. LEADER

- 2.12.1. Wage cut and wage freeze after the financial crisis. The minimum wage is not enough for livelihood. Workers were not paid overtime work. Irregular labour are widely used under outsourcing, labour agencies, trainee programs. Students unable to pay the tuition fee of vocational school are sent to work in factories and their tuition fees are paid from their wages. Man power agencies, worker trainee agencies are in large number present in the EPZs. Workers think it is a source of secure employment with the agency. The agency is placing workers on short term basis which in fact does not provide job security to workers.
- 2.12.2. The Japanese earthquake in March affected the order placement and workers' working hours and wages were reduced. Many workers were laid off on the pretext of the Japanese earthquake.
- 2.12.3. Companies are more aggressive in forming management unions and busting union leaders.
- 2.12.4. For instance Hyundai workers were forced into voluntary retirement scheme, and this is used by the management to target the active union leaders. Government uses police, military agents to harass and spy on the organisers, forcing them to give up. Extra judicial persecution and murders have not stopped despite the change in government leadership.

Malaysia

2.13. Electronics Industry Employees Union EIEUWRPM

- 2.13.1. By oct there are 3000 members, another 70,000 workers are eligible to be members in the western region. Have applied for affiliation to IMF but no response yet.
- 2.13.2. Western region include Kuala Lumpur, Selangor and Perak. Workers demanded for union long time ago but the government and the Japanese employers were against it. Rather than forming enterprise union, regional unions are formed. By now there are four regional unions.
- 2.13.3. Labour trends:
- 2.13.4. The laboratory has been directed to supervise the outsourcing companies to act as providers of workers and not as employees ---- there are 277 registered outsourcing companies, 8 ministries and 15 agencies.
- 2.13.5. Employment Act of 1955 was to be amended to end job security. The union movement blocked the amendment. Despite one year of government lobby, MTUC maintained protest in 2011. A nation wide protest in 11 regions is planned on 3 Nov 2011.

Indonesia

2.14. GSBI, KP KSN and LIPS

- 2.14.1. 40 million working population, 17.5 million are formal workers and 22.5 million are informal workers. Minimum wage varies between regions from USD55/month to USD150/month. Minimum wage only covers about 65% of a working household's expenses.

- 2.14.2. By 2010 there are 4 confederations, 90 federations national.
- 2.14.3. Indonesia has FTAs with Korea, Japan, India, New Zealand, Australia, and ASEAN-China. ETZs are established in all four islands. Informalisation is high in forestry and infrastructural projects. Favourable policies to investments are promulgated in the EPZs.
- 2.14.4. 5 workers were killed in a recent case when they demanded for wage increase.
- 2.14.5. Challenges:
- 2.14.6. Low wage
- 2.14.7. No job security under short term contract
- 2.14.8. 65% of the working population are informal workers according to ILO data. The union's study found a higher rate of 66.42% amongst the workers are informal. The rate increases by 5% every year, and it is found in all sectors eg plantations, mining, manufacturing eg electronics, service sector. The rate is higher in service sector such as cleaning, security up to 85% of the employed.
- 2.14.9. Union busting – union leaders and members are dismissed; management retaliation by demotion, or setting up a management union; management refuses to CB with independent unions. Prominent in the metal industry.
- 2.14.10. Impact of FTA - 68332 workers were dismissed after the China-ASEAN FTA was signed.
- 2.14.11. Privatisation – Of the 135 state owned enterprises only 75 of them remained the rest are privatized.
- 2.14.12. Indonesia sends a million migrant workers to Hong Kong Arabia, Japan and Korea.
- 2.14.13. Union responses
- 2.14.14. Unions are pushing for integration of protection of outsourced workers in the CBA.
- 2.14.15. National alliances are formed to protest labour outsourcing and legislations, privatisation, and FTAs.
- 2.14.16. Organising contractual workers in the state-owned oil companies. 1800 oil workers have joined the union.

Cambodia

2.15. IDEA and CCAWDU

- 2.15.1. IDEA formed in 2005. Three trade union movements in Cambodia – garment unions formed by the management, independent unions in the garment sector, and independent union in the informal sector. IDEA is an independent association of informal workers.
- 2.15.2. The target groups are workers in the informal economy eg tuk tuk drivers, motor taxi drivers, micro businessmen, temple vendors, cart dragging workers. Small vendors are often harassed by local police from doing business.
- 2.15.3. Recently the movement is opposing the Association and NGO Law which limits the role of unions and NGO organising. In 2010 July rallies were held to demand for salary rise of garment workers who are paid on daily rate too low to support the family expenses. The minimum wage passed in 2010 was USD61/month.

Workers are simply retaliated if they are identified by the employers for affiliation with the union.

Thailand

2.16. Thai Labour Campaign

- 2.16.1. Release Somyout campaign – escalated pressure on activists after the crack down of the red shirt movement in 2010 to silence criticism on the government, the military etc under the Computer Crime Act and Assembly Bill to restrict freedom of assembly and speech. This has not improved at all with the election of the new government. New Majestic law is in force to deprive political prisoners of basic human rights including the right to bail out, and to promote loyalty to the King and not criticize the government and the military.
- 2.16.2. Liberalisation – Thailand is a capital importing and labour exporting country. Male and female workers work in construction sites in Libya, middle east and in Hong Kong. They are employed under the labour agencies without legal protection. Government does not protect the informal workers but promotes the development of private agency and lower the company tax.
- 2.16.3. Minimum wage was increased in 2011 because of increasing social tension over widened income gap. Before the flood, the Thai GDP has been rising. The government committed to raise minimum wage in 7 provinces. TLC and others are ready to campaign for the whole country. The strategy changed after the flood eg logistic unions in the Ayutia labour group in the industrial area send relief materials to workers who were isolated in the dormitory under the flood.
- 2.16.4. Three million migrant workers in Thailand, 75% of them are Burmese, and the rest are from Laos and Cambodia. Support for migrant workers is not strong amongst the Thai trade unions and NGOs. Migrant workers are not taking away jobs from the Thai but they share the dirty dangerous jobs, making Thailand with the fastest GDP growth rate in SEAsia. Migrant workers lacked rights – less than half of them are documented, afraid or do not want to be documented. Migrant workers would expose themselves to the Burmese government if they apply for registration in Thailand. Their families at home would be taxed. The registration restricts the migrant workers with one employer and freedom of movement would be restricted. The minimum wage and labour law does not cover the migrant workers esp the undocumented workers. They earn Bhat 45 to 300 a day. Most of them are placed via agents, others entered Thailand illegally, some are commuting daily to work in Thailand paying the police Bhat20/day.
- 2.16.5. Few organisations are organising Burmese workers at the Thai-Burmese border: Burma Labour Education Centre, Burmese Confederation and Yongjil group.
- 2.16.6. Challenges – the Burmese workers are faced with the risk of repatriation after being identified. Organising is not so much geared for improving working conditions but improving their skills for better jobs.

- 2.16.7. Challenges – (1) Unionising rate in Thailand is 2% out of 38 million workforce. Workers attempted to form unions at the agency but they are busted; (2) improve working conditions esp of the informal workers and trainees.

3. Discussion Panel 1

3.1. Sujata

- 3.1.1. Vulnerabilities of workers in Asia – how we can transform our trade union?

3.2. Wulan

- 3.2.1. Organising informal workers and how to form collective bargaining power
3.2.2. Proposal: what are the elements of CB power? Before tackling the common enemies, it's important to strengthen the solidarity among workers first?
3.2.3. To access the target of bargaining (e.g. provincial and national level of decision makers). What are the opportunities to form and give political push? How to access our power of bargaining?
3.2.4. What are our desired changes? E.g. push for local enforcement of local laws
3.2.5. To map out the concrete desired changes so that we can have more measureable improvement

3.3. Lennon

- 3.3.1. Labour politics: how the unions and labour groups feel the politics, how to step into the politics? In TW, local governments have strong ties with local business. County legislator of 新竹 who has the background as labour activist won a seat in election. But still none of labour candidates win big votes. Some other unions are still thinking and trying. Discussion has been made e.g. should we form a bigger party? How to influence the decision makers?
3.3.2. DPP and KMT divide TW into 2 stands. No political room for labour unions to step into the political and election
3.3.3. Pro-labour parties are rising more to counteract e.g. HK (Labour Party), Korean labour union win election, labour party in Philippines
3.3.4. To seek more political influence of labour unions

3.4. Surrenda

- 3.4.1. Solution for many south Asian countries: collective bargaining
3.4.2. Proliferation of EPZs – large number of lands were gone. No implementation of labour laws.
3.4.3. Majority are informal workers
3.4.4. In garment industry, can't have plant union. How to unionise the workers in one banner?
3.4.5. Multiplicity of unions. How we can unite? Whom to unite?

4. Q & A

- 4.1. Analea: Trend of proliferation of EPZs
4.2. Abul: impossible to form trade union
4.3. IDEA: how to enable a stronger power of workers by seizing the congress seats. Good news: 4 seats from labour sector are now elected in the congress

- 4.3.1. But most of the governments in Asia are dominated. So, the most effective way to get political power is to get an economic power first. Economic power is helped by the workers (to educate workers about their importance to the society)
- 4.4. Nepal: very strong relations between labour and politics
 - 4.4.1. Fundamental rights such as the draft of the Constitution include the Labour Party
 - 4.4.2. Joint labour trade union movement – work closely on the political issues and have good relations with political parties

Answer

- 4.5. Lennon: if we want to control the power, we need to kick away the TNC. But most people will not agree. Controversial and difficult
- 4.6. Wulan: proliferation of EPZs e.g. investment of Singapore in EPZs in Malaysia – investment control the government. It's important to build political awareness of working people and enable the labour groups more capacity to negotiate on political demands
- 4.7. Surrendra: everything we talk here in about politics. Every labour issue is politics. Without going to the political course, workers can make no change. If we have the grassroots base, we can win election. Collective bargaining for the people and for the society.
- 4.8. Sujata: Politics is about power. And we are having the power of power. But once labour reps step in politics, may become bourgeois politics and corrupt labour movement. After participation, there will be a disconnection from the grassroots people. Second thing is about education. To educate people is also important to workers' capacity building.
- 4.9. Analea: political engagement of international labour movement because we are facing global capital
- 4.10. Xiaochen: China has more and more civil representatives are striving for getting elected in the NPC. More discussion among workers the rights to vote and the rights to be voted. Because I study law, mainly I introduce workers how to elect in China. Actually, near 100% of people have the rights to vote but they give up the rights to vote. Throughout workers discussion, they recognize election is important. But they do not know how to elect because the Chinese government does not promote election. Now more and more rich people fight for being representatives. Only 2-5% of the so called "Role models of labourers" in ACFTU workers. Hope workers can organise themselves to shift the power balance.
- 4.11. APO: because of the rise of the migrant workers in China, there are more "seats" for migrant workers. But they are all hand-picked by local governments and the parties. The so-called "migrant workers reps" who attend NPC are not accountable and not under monitoring of migrant workers.
- 4.12. Wulan: Political actions. Big challenge. What is the most effective political devise for workers to use? To identify the political instrument for labour struggle
- 4.13. Surrendra: how they unite workers in political parties in Nepal? We have a lot to learn. WTO is a decision making body, how we can demand our political demand to change the decision making body. We have to press them. International solidarity to challenge the WTO framework. Same problem is also in ASEAN.

- 4.14. Sujata: how we can limit the capital mobility? Internationalisation of labour migration. Labour is in big hazard. Political demand we need to look at is the intensified labour migration in the process of globalisation.
- 4.15. ABUL: Party politics is also important.

5. PANEL DISCUSSION 2

- 5.1. So Sheung (LESN):
 - 5.1.1. Light Valley, Wuhan: One Example of Capital Migration within Mainland China
 - 5.1.2. WUHAN
 - 5.1.3. In China, long history of labour struggle. Wuhan is a milestone of labour struggles in 1925. Memorial museum for Labour (武漢二七紀念館). There is a Chinese saying that workers have no prospect. But workers believe that if they unite, they can change.
 - 5.1.4. Over 200 million migrant workers in China
 - 5.1.5. Reserve army of migrant labour is in central region of China
 - 5.1.6. 1st wave of labour migration from central region of China to PRD region
 - 5.1.7. Labour dispute is direct confrontation between employees and employers without government intervention (in early days of migration)
 - 5.1.8. In the 2nd wave of migration: from middle part to YRD region and eastern coastal regions
 - 5.1.9. More coordinated central plan and mitigation in city and provincial level – to preempt workers action
 - 5.1.10. e.g. electronics/high technology industry in Suzhou
 - 5.1.11. 3rd wave of migration: internal migration within Central China. The key place is Wuhan.
 - 5.1.12. Production base of Foxconn in PRC – across China. In Wuhan, it is based in East Lake now called Light Valley. More than 40% are industrial land.
 - 5.1.13. Vast cultivable land robbed from residents in East Lake and residents were evacuated. Local county and town government suspended. Many local residents driven away from homes without proper compensation. East Lake Development Zone.
 - 5.1.14. Foxconn in Light Valley occupied 25,000 Chinese hectares in East Lake.
 - 5.1.15. How Wuhan government subsidized Foxconn
 - 5.1.16. direct railway and station for Foxconn
 - 5.1.17. 280 million RMB for 17 major infrastructure building for Foxconn Park
 - 5.1.18. 600 thousands m2 factory floor as a gift
 - 5.1.19. Public housing as workers dormitories
 - 5.1.20. Administrative order to make technical schools send students workers to Foxconn
 - 5.1.21. Foxconn starts its real estate business in Wuhan
 - 5.1.22. Wuhan is not the only case!! Other cities competing for Foxconn also gave similar offers to Foxconn.
 - 5.1.23. Working conditions of electronics workers (comparison between Wuhan and PRD region)
 - 5.1.24. Wages and legal rights
 - 5.1.25. Workers awareness

- 5.1.26. Strikes
- 5.1.27. Student workers
- 5.1.28. Generally, the labour conditions above in Wuhan are lower and worse than PRD region. Only better conditions is that Wuhan use less student workers than PRD.
- 5.1.29. Electronic workers are un-organizable because: anti-union production and factory set up, large scale of assembly workers, difficult to build workers solidarity
- 5.1.30. This must be wrong with so many electronic unions in the room!!

5.2. Rena (GM)

- 5.2.1. Student interns have become more common esp in the IT sector.
- 5.2.2. High pressure at work.
- 5.2.3. Shortage of labour – workers move to inland city
- 5.2.4. Wage is still low, compared with some SE Asia.
- 5.2.5. Dispatch workers are common in the region (PRD).
- 5.2.6. Govt suppression – no FOA
- 5.2.7. Official union (ACFTU) is not representing workers
- 5.2.8. Factory system works against workers.
- 5.2.9. Wildcat strikes are in large no. but small scale in protest action.
- 5.2.10. BYD (yesterday's PPT)
- 5.2.11. How did the auto workers organise and get the media concern?
- 5.2.12. Used Weibo
- 5.2.13. local newspapers
- 5.2.14. Uploading company list of laid-off workers
- 5.2.15. Report companies' misconduct in Weibo. But BYD restrict workers from posting in Weibo using the name of BYD
- 5.2.16. How they communicate with workers? e.g. commonly through QQ (online instant message in China). They discuss Factory Rules in protest actions through QQ.
- 5.2.17. After 2 protests, 70-100 layoff workers get compensaton – layoff workers had signed a compensation agreement with BYD.
- 5.2.18. China increasing population using internet – nearly 480 million
- 5.2.19. Risk of using internet because many information would be monitored and retrieved by the Public Social Security Bureau
- 5.2.20. Things need to concern: increase numbers of using weibo to protect their rights and spread message, will they make audients abroad?

5.3. YIYI (SACOM)

- 5.3.1. On interns in China
- 5.3.2. News report “Sent to Work on the 6th Day after Enrollment”
- 5.3.3. One case: 15 months out of 3 years, Xiao YU worked in factories to earn her “tuition fee”. Lectured for only 12 months.
- 5.3.4. Student workers
- 5.3.5. no regulations: students come from all disciplines, but all work as frontline workers on production line in electronic manufacturing factories. Only one of them got a copy of labour contract. Salary goes directly to the school. National Allowance of RMB1,500 per year. Graduation certificates not recognized

- 5.3.6. Thousands of students sent to different departments, which make up to 50% of labour force in the most serious workshop
- 5.3.7. Come from different vocational schools all over the country. Contract periods range from 2 months to 2 years. Violation to protective regulations about overtime and night-shifts
- 5.3.8. Violation of rights of students
- 5.3.9. Legislation – not regarded as labour relationship
- 5.3.10. No proper wage, social insurance, no equal pay
- 5.3.11. No unions for them,
- 5.3.12. Poor enforcement

- 5.3.13. Labour shortage
- 5.3.14. Result of labour shortage, more strikes by labourers
- 5.3.15. Young and flexible labour dries up.
- 5.3.16. To remedy the situation, interns are being used
- 5.3.17. Stable supply – contract with schools
- 5.3.18. Flexible – peak and low demand
- 5.3.19. Low cost – no min wage, no social protection
- 5.3.20. Easy mgt – under joint monitoring by school and factory management
- 5.3.21. Industrialisation of vocational education
- 5.3.22. Service to companies, not the industry nor training
- 5.3.23. Labour agents to recruit and manage workers, no skills transfer
- 5.3.24. No educational autonomy under the admin intervention
- 5.3.25. Policy stresses not on quality of training
- 5.3.26. Mobility of migrant workers
- 5.3.27. 80% of the students hold the rural hukou
- 5.3.28. Govt regards vocational education as a ‘stable’ tool.
- 5.3.29. Challenges:
- 5.3.30. Media campaign, complain letter to the min. of education
- 5.3.31. Joint research by univ and statements
- 5.3.32. Many students are not aware of their rights and regard this as an opportunity of getting pocket money or being trained
- 5.3.33. Low awareness of getting organised because they are scattered in different workshops and factories
- 5.3.34. Zhang Jun – not under labour law, the labour dept would not intervene,
- 5.3.35. but civil courts which is out of reach by the student
- 5.3.36. So – 20 million technical students, and 8 million young people enroll.

Question

- 5.4. Ceci (WAC) the same thing is happening in the Cavite
- 5.4.1. One month in school, 13 mon in the factory, 2 mon for orientation
- 5.4.2. Labour supply agency acting as schools/ legal or not not sure

- 5.5. Surendra – in India, get internship allowance, there is a debate in socialist China, you have to work in a factory ---

- 5.5.1. Sujata: are they adults, child labour? Voluntary labour and unpaid labour.
- 5.5.2. What is a trainee?
- 5.6. Phil: (Ivy) major factors (labour shortage)? No reserve army? No unemployed people?
- 5.6.1. The roots of the problem is 'capitalist not willing to pay a reasonable wage' and the absence of the law in protecting them
- 5.7. Chu – same problem in Taiwan, esp in service sector. We have a case, Youngfast and Wintex employing students, using the Mainland and VN students
- 5.8. Din – Response from the students
- 5.9. So – The law says no double identity – students OR workers, under dif. supervision of education or labour. So the use of intern is legal, 3 yrs vocational school, 1 yr in specific place for training. Students has right to choose where the placement is. As the interns are most peasant background, they do not have all the social network to look for a proper placement. The parents will look for schools advertising good connections with famous factories such as Foxconn. The live-in students are at the mercy of the school. In China, the labour contract system is being practiced, as in any capitalistic countries.
 - 5.9.1. Is this legal ?
 - 5.9.2. There are loopholes in the law the school can manipulate, and the regulations and guidelines are vague.
- 5.10. ZhangJun – student interns in China are rife. Acutally the student interns extend to uni students. Last year of uni students go to take work placement. Violations of rights of uni student interns same as students of vocational training schools.
- 5.11. Lennon –
 - 5.11.1. do the student workers in China get pay or not?
 - 5.11.2. China government controls the media very strictly. Most of the websites are not accessed in China except you climb over the Great Firewall of China. Under this restrictions, how can workers use the new technology?
 - 5.11.3. Advice to organising of electronics workers in China – the electronics companies are mainly from capital sending countries in Asia. We can mobilize our member of ATNC to put pressure on the electronics companies directly
- 5.12. Analea
 - 5.12.1. Capitalist exploitation: on both education system and labour system
- 5.13. So Sheung
 - 5.13.1. Yes students are paid. But they have different situation. Some are given only allowances and some are paid under minimum wage

5.13.2. Agree with Analea. The bureaucratic system of China colludes with the business and “corporatize” education in China – corporatization of education underpins the issue of student interns – to exploit the vulnerabilities of students

5.13.3. Agree with Lennon. We can use more experiences of organizing of electronics unions. We need more examples and materials from our network

5.14. Rena

5.14.1. How to break through from the website restrictions imposed by the Chi gov’t?

5.14.2. netizens constitute a big social force to identify the “useable” cyberspace for posting messages. We can still win in certain ways even though the deletion of messages outpaced the speed of posting

5.14.3. Agree with Lennon. China internet is not secure. But netizens even act more quickly. There are still many ways to come out

5.15. Suetwah

5.15.1. why it still safe to post

5.15.2. because govenmnet think labour movement is for struggle for economic interests but not political struggle

5.16. Monina

5.16.1. internet activism can be a new tool of organizing

5.16.2. Organizing of electronics should be shared more

Day Two, 28 Oct

1. Report from Coordinators
 - 1.1. ATNC Coordinator report and financial report
 - 1.2. Research, Education, Campaign Coordinator
2. Discussion of key issues
 - 2.1. Non-regular labour – dispatch workers, agency workers, student trainees, contractual workers etc
 - 2.2. Financialisation and financial crisis's impact on capital mobility in Asia
 - 2.3. Campaign on electronics industry
 - 2.4. Inclusion of the following issues for discussion:
 - 2.4.1. Freedom of association and union busting
 - 2.4.2. Pension scheme struggle by unions in Sri Lanka : at least 20 workers were injured in the physical clash with police in the struggle last month. Sri Lanka Free Trade Union would like to map the pension schemes in other Asian countries.

3. Group Discussion on work plan

3.1. Research Group

- 3.1.1. In-house research projects of partners to be shared in the network
- 3.1.2. Globalisation Monitor – auto industry and electronics industry in China
- 3.1.3. IHLO – Chinese overseas investments in construction, energy and transportation sector; Chinese funded EPZs overseas
- 3.1.4. GEFONT – MNC research update; garment industry in Nepal
- 3.1.5. LAC – Collective bargaining practices in China
- 3.1.6. Yokohama Action Group – Toyota and Panasonic research; facilitation of compliant cases on Japanese companies filed to the OECD contact point in Japan
- 3.1.7. WWL – Research on Indian investments in South Asia
- 3.1.8. CWE Centre for Workers' Education (India) – Indian investment in SAARC
- 3.1.9. Collective research led by AMRC
- 3.1.10. Guide for research on financialisation and monitoring guide for capital mobility
- 3.1.11. Comparative study of changes in legislation on trade union law, collective bargaining law and strike law in Asia, impact on labour
- 3.1.12. Timeline: 6 months, First draft out in December, editing in January

3.2. Education

- 3.2.1. Participants ; CAW, Wulan, Bengseng, Din, Choi, Analea, Surrendra, So Sheung
- 3.2.2. Objectives- Develop a popular education material for workers – on capital mobility, financialisation of capital and impact on workers
- 3.2.3. Proposed content
- 3.2.4. theoretical framework of understanding financial capital
- 3.2.5. Impact of capital mobility on workers in capital sending and receiving countries
- 3.2.6. Informalisation and flexibilisation
- 3.2.7. Freedom of association
- 3.2.8. Case studies, stories (electronics from Malaysia; garment from
- 3.2.9. Capacity building to confront capital mobility
 - 3.2.9.1. Understanding stock market operation

- 3.2.9.2. Analyse company report, balance sheet
- 3.2.9.3. Monitoring investment flow
- 3.2.9.4. Lobbying and campaigning

3.3. Campaign

- 3.3.1. Assessment
- 3.3.2. Members' participation in on-line campaign is not high
- 3.3.3. Some solidarity actions were useful to encourage struggles
- 3.3.4. Coordinators sometimes missed requests from members
- 3.3.5. Reminder
 - 3.3.5.1. Coordinators collect information of all cases
 - 3.3.5.2. Coordinators arrange respond action with members
 - 3.3.5.3. Coordinators check the contacts from members
 - 3.3.5.4. Commitment of the campaign coordinator/ campaign group
- 3.3.6. Organise on-line vote for Public Eye Award
- 3.3.7. Translate campaign materials for release through email list, homepage and sms
- 3.3.8. Send national campaign schedule 2011-2012 to campaign coordinator
- 3.3.9. English-Chinese translation : Lenon
- 3.3.10. Korean-English translation : Prof Kim
- 3.3.11. ATNC has targeted Toyota and Samsung for joint actions but not all members can relate and participate. The above is a re-strengthening of the campaign mechanism.

4. Administrative Issues

- 4.1. New membership application:
 - 4.1.1. Women Worker Lead, India
 - 4.1.2. Textile Garment Workers' Federation, Bangladesh
 - 4.1.3. Federation of Independent Trade Union (GSBI) Indonesia
 - 4.1.4. Progress Union, Sri Lanka
 - 4.1.5. Thailand Confederation of Trade Unions, Thailand
 - 4.1.6. National Union Confederation (KSN), Indonesia
- 4.2. Friends of ATNC
 - 4.2.1. Korea University lecturer Union, Korea
 - 4.2.2. Labour Education and Service Network, HK
 - 4.2.3. Student and Scholar Against Corporate Misbehaviour, HK
- 4.3. Membership fee: USD100 per year (exemption by application)

-END-

ATNC Year Plan 2012

<i>Organisation/ Coordination</i>	<i>Research</i>	<i>Education</i>	<i>Campaign</i>
	<i>AMRC, LAC, GM, YAR, WWL, GEFONT, LEADER, IHLO</i>	<i>EILER, LESN, CWE, EIEU, CAW, NCPWR, DAGA, AMRC, ACW2</i>	<i>KHIS, SACOM.....</i>
Capturing the re-composition of Asian Capital			
AMRC	Finalise research on financialisation and capital mobility	Manual of workers' understanding of financial capital and mapping capital mobility - <u>EILER</u> , AMRC, DAGA Manual on impact on labour - <u>LESN</u> , EIEU, LEUC, NCPWR, CAW	National Campaign Schedule – ATNC Day of Action Country-specific events
IHLO	Chinese overseas investment; Chinese funded EPZs		
WWL, CWE, GEFONT	Indian overseas investment in SAARC – Indian MNC case study		
Actions on ATNCs			
GM	Auto and electronics industry in China	Case studies- adoption for worker organising manuals Electronics Automobile Garment <u>LESN</u> , <u>AMRC</u> , NCPWR and campaign circle	Public Eye-Award Apple Samsung
GEFONT	MNC research update; garment industry in Nepal	Worker Training Manual on campaign skills <u>EILER</u> and <u>DAGA</u>	
Japan	Toyota and Panasonic Research		Toyota, and Japanese cases file to OECD National Contact

			Point in Japan (YAR)
LEADER	ATNC changing names to extend investment incentives in EPZs		
			Urgent Appeals (KHIS)
Labour relations in Change			
AMRC	<p>Comparative study on trade union, collective bargaining and strike law in Asia – by sub-regions</p> <p>Research Plan, survey questions, collection of national reports on ILO Convention 87 and 98– AMRC</p> <p>Identify resource persons from countries Apo</p> <p>To submit an alternative “ATNC” report on ILO C.87 &98 implementation</p>		
LAC	Collective bargaining in China		